IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITON NO.1329 OF 1999

The National Small Inds.Corpn.Ltd. ..Petitioners.

V/s.

Union of India & Ors. ..Respondents.

Mr.Naresh Shukla i/b. Usha Tiwari for petitioners.

Mr.A.J.Rana, senior advocate with R.C.Master for respondents.

CORAM : Dr.S.RADHAKRISHNAN & J.P.DEVADHAR, JJ.

DATED : 31TH JANUARY, 2006.

P.C. :-

Heard learned counsel for the petitioners and respondents. By this petition, the petitioner is challenging the demand of payment of penalty of Rs.17,000/- raised in the demand notice dated 15/4/1999 issued by the respondent No.3. We have perused the petition and affidavit-in-reply filed by Shri Amarjeet Singh, Deputy Commissioner of Customs, Central Revenue Recovery Cell on 16th February, 2004. In paragraph No.3 of the said reply, it is made clear that inadvertently it appears that the said notice was issued and the same should be considered as withdrawn. In view thereof, nothing survives in the present petition. Petition stands dismissed. Rule stands discharged with no order as to costs.

(Dr.S.RADHAKRISHNAN,J.)

(J. P. DEVADHAR, J.)